IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

Bail Appl..No. 5266 of 2007()

(CMP. 3032/07 . CRIME NO.24/07 OF KANJIRAPPALLY EXCISE RANGE.)

PETITIONER/ ACCUSED:

RAJAMMA, W/O.SOMAN, KANNATTU HOUSE, KOMBUKUTHY KARA, ERUMELY NORTH VILLAGE, KANJIRAPPALLY TALUK.

BY ADV. SRI.M.J.THOMAS

RESPONDENTS: COMPLAINANT:

STATE OF KERALA REPRESENTED BY THE EXCISE INSPECTOR, KANJIRAPPALLY THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5266 of 2007

Dated this the 7th day of September 2007

O R D E R

The petitioner, a woman, seeks regular bail. She faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 15 litres of arrack on 03/8/2007. She could not be apprehended on the date of detection. She, later, surrendered before the learned Magistrate on 17/8/2007. She continues in custody from that date. The petitioner has one more case under the Kerala Abkari Act pending against her, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner who has remained in custody from 17/8/2007 can now be enlarged on bail subject to appropriateb conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) She shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make herself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of her release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007